

SETTLEMENT AGREEMENT

This agreement is made and entered into between the Executive Branch Ethics Commission (hereinafter the "Commission") and Bradley Lowe.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. Bradley Lowe*, Agency Case No. 11-012;

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on December 2, 2011, the Commission alleged facts in an Initiating Order that Bradley Lowe violated the Executive Branch Code of Ethics at KRS 11A.020(1)(a) and (d);

WHEREAS, Bradley Lowe was at all relevant times mentioned in the Initiating Order a "public servant" as defined in KRS 11A.010(9), and thus is subject to the Executive Branch Code of Ethics; and

WHEREAS, Bradley Lowe indicates his desire to resolve all issues in this action by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and Bradley Lowe agree, pursuant to KRS 11A.100, as follows:

1. Bradley Lowe admits that he committed violations of the Executive Branch Code of Ethics at KRS 11A.020(1)(a) and (d), as stated in Appendix A of the Commission's Initiating Order of December 2, 2011, attached hereto and incorporated by reference herein.

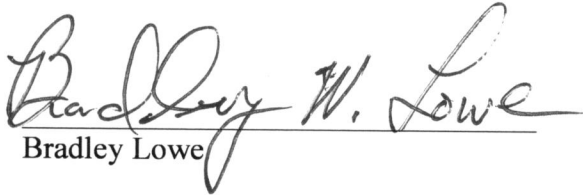
2. Bradley Lowe agrees to pay the Commission a civil penalty of two thousand five hundred dollars (\$2,500.00) concurrently with the execution of this Settlement Agreement.

3. Bradley Lowe agrees that upon the Commission accepting the Settlement Agreement and entering the Final Order that he waives all rights to any further administrative process or appeal pursuant to KRS 13B.140 thereon.

4. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. Bradley Lowe*, Agency Case No. 11-012.

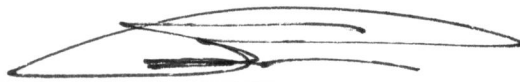
5. This Settlement Agreement constitutes a public reprimand to Bradley Lowe, a copy of which will be provided to his former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:

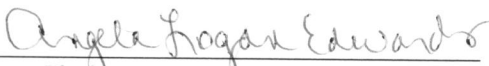

Bradley Lowe

01.15.2012
Date

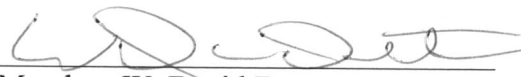
EXECUTIVE BRANCH ETHICS COMMISSION:


Chair, Ronald L. Green

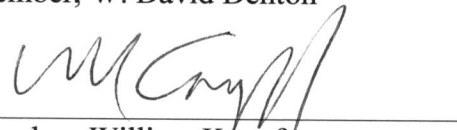
1/30/12
Date


Vice-Chair, Angela Edwards


1/30/12
Date


Member, W. David Denton

1/30/12
Date


Member, William Knopf

1.30.12
Date


Member, William Francis

1-30-12
Date

**APPENDIX A
CASE NO. 11-012
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Bradley Lowe, was at all relevant times an employee of the Commonwealth of Kentucky, serving in the Department of Fish and Wildlife Resources. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Bradley Lowe committed the following violations:

COUNT I

Bradley Lowe, during his course of employment as a Conservation Officer II with the Department of Fish and Wildlife Resources, used or attempted to use his influence in matters that involved a substantial conflict between his personal or private interest and his duties in the public interest and used his official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest at large.

Specifically, on June 15, 2011, Lowe used his official position as a conservation officer by brandishing his conservation officer badge and using his status as a law enforcement officer to falsely claim that he was involved in an official undercover investigation to secure entry for his fifteen year old daughter into the Paddock Bar and Patio in Lexington, Kentucky, which is an Alcoholic Beverage Control regulated establishment for patrons 21 years of age and older. Lowe continued to brandish his badge to order drinks for his daughter while in the establishment.

These facts constitute violations of KRS 11A.020(1)(a) and (d).

KRS 11A.020(1)(a) and (d) provides:

- (1) No public servant, by himself or through others, shall knowingly:

- (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest.

- (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT II

Bradley Lowe, during his course of employment as a Conservation Officer II with the Department of Fish and Wildlife Resources, used or attempted to use his influence in matters that involved a substantial conflict between his personal or private interest and his duties in the public interest and used his official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest at large.

Specifically, on June 15, 2011, Lowe used his influence as a conservation officer by misusing his official peace officer authority when he conveyed himself as a law enforcement officer by threatening to arrest other patrons of the Paddock as they approached to talk to his daughter. Lowe also showed his official badge to Lexington Police Officer David Duncan and erroneously stated that he was a “federal agent” working undercover with his daughter to “bust an Arab sex slave ring” in order to avoid detention by Officer Duncan.

These facts constitute violations of KRS 11A.020(1)(a) and (d).

KRS 11A.020(1)(a) and (d) provides:

- (1) No public servant, by himself or through others, shall knowingly:

- (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest.

- (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

(End of document)